

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

FRANK STOKES,

Petitioner,

v.

Case No. 04-cv-850-JPG

SARA M. REVELL,*

Respondent.

MEMORANDUM AND ORDER

This matter comes before the Court on the Report and Recommendation (“Report”) (Doc. 13) of Magistrate Judge Philip M. Frazier recommending that the Court deny petitioner Frank Stokes’s petition for a writ of *habeas corpus* under 28 U.S.C. § 2241 (Doc. 1).

After reviewing a magistrate judge’s report and recommendation, the Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in the report. Fed. R. Civ. P. 72(b). The Court must review *de novo* the portions of the report to which objections are made. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the Report. The Court has reviewed the entire file and finds that, except for a typographical error referring to “Grigsby” instead of “Stokes” on page 2 of the Report, it is not clearly erroneous. Accordingly, the Court hereby **ADOPTS** the Report in its entirety (Doc. 13), **DENIES** Stokes’s petition for a writ of *habeas corpus* (Doc. 1), **DISMISSES** this action **with prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: August 16, 2006

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE

*Pursuant to Federal Rule of Civil Procedure 25(d)(1), the Court has substituted Sara M. Revell, Stokes’s custodian, as the respondent in this action.